

PATENT  
ATTORNEY DOCKET NO: 07950/002001

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled COUNTERFLOW INSECT TRAP, the specification of which

is attached hereto.

was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

was described and claimed in PCT International Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Jonathan J. Wainer, Reg. No. 36,712, William E. Booth, Reg. No. 28,933; Barry E. Bretschneider, Reg. No. 28,055; John W. Freeman, Reg. No. 29,066; Timothy A. French, Reg. No. 30,175; Alan H. Gordon, Reg. No. 26,168; John F. Land, Reg. No. 29,554; John B. Pegram, Reg. No. 25,198; Richard M. Sharkansky, Reg. No. 25,800; Rene D. Togtmeyer, Reg. No. 33,567; Hans R. Troesch, Reg. No. 36,950; Dorothy P. Whelan, Reg. No. 33,814; Charles C. Winchester, Reg. No. 21,040.

Address all telephone calls to Jonathan J. Wainer at telephone number 617/542-5070.

Address all correspondence to Richard M. Sharkansky, Fish & Richardson P.C., 225 Franklin Street, Boston, MA 02110-2804.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Mark H. Miller

✓ Inventor's Signature: Mark H. Miller ✓ Date: 9-16-96

Residence Address: 385 Tunk Hill Road, Hope, Rhode Island 02831

Citizen of: U.S.A.

Post Office Address: 385 Tunk Hill Road, Hope, Rhode Island 02831

**COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED**

Full Name of Inventor: Bruce E. Wigton

✓ Inventor's Signature: Bruce E. Wigton

✓ Date: 9-16-96

Residence Address: 46 Pennsylvania Avenue, Jamestown, Rhode Island 02835

Citizen of: U.S.A.

Post Office Address: 46 Pennsylvania Avenue, Jamestown, Rhode Island 02835

Full Name of Inventor: Kenneth Lonngren

✓ Inventor's Signature: Kenneth Lonngren

✓ Date: 9/16/96

Residence Address: 358 Robin Hollow Road, West Greenwich, Rhode Island 02817

Citizen of: U.S.A.

Post Office Address: 358 Robin Hollow Road, West Greenwich, Rhode Island 02817

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UNITED STATES DEPARTMENT OF  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JANUARY 31, 1997

PTAS

FISH & RICHARDSON P.C.  
JONATHAN J. WAINER  
225 FRANKLIN STREET  
BOSTON, MASSACHUSETTS 02110-2804

RECEIVED

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FEB 05 1997

FISH & RICHARDSON P.C.  
BOSTON, MA

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION C U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAI AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCE BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMA CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN TH PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRO HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FO CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISIO BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C.

RECORDATION DATE: 09/17/1996

REEL/FRAME: 8240/0158  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS)

## ASSIGNOR:

MILLER, MARK H.

DOC DATE: 09/16/1996

## ASSIGNOR:

WIGTON, BRUCE E.

DOC DATE: 09/16/1996

## ASSIGNOR:

LONNGREN, KENNETH

DOC DATE: 09/16/1996

## ASSEENEE:

AMERICAN BIOPHYSICS CORP.  
18 SOUTHWEST AVENUE  
JAMESTOWN, RHODE ISLAND 02835

SERIAL NUMBER: 08718643  
PATENT NUMBER:

FILING DATE: 09/17/1996  
ISSUE DATE:

\* No Docketing Required \*  
Reviewed By Practice Systems  
*[Handwritten signature]*

**8240/0158 PAGE 2**

**SHIRLIE SIMON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS**



## ASSIGNMENT

08/71

For valuable consideration, we, Mark H. Miller, of Hope, Rhode Island 02831 Wigton of Jamestown, Rhode Island 02835; and Kenneth Lonngren of West Greenwich, Rh 02817; hereby assign to American Biophysics Corp., a Delaware corporation having a place at 18 Southwest Avenue, Jamestown, Rhode Island 02835, and its successors and assigns (co hereinafter called "the Assignee"), the entire right, title and interest throughout the world in inventions and improvements which are subject of an application for United States Patent si us, entitled COUNTERFLOW INSECT TRAP, filed HEREWITH; this assignment includin application, any and all United States and foreign patents, utility models, and design regis granted for any of said inventions or improvements, and the right to claim priority based on date of said application under the International Convention for the Protection of Industrial I the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of lil purposes; and we authorize the Assignee to apply in all countries in our name or in its own : patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respec legal representatives and assigns, without further compensation to perform such lawful acts a such further applications, assignments, Preliminary Statements and other lawful documents a Assignee may reasonably request to effectuate fully this assignment.

✓ In Witness Whereof, I hereto set my hand and seal at JAMESTOWN, RI  
this 16<sup>th</sup> day of September, 1996

Mark H. Miller  
Mark H. Miller

STATE OF Rhode Island:

:ss

COUNTY OF Newport:

Before me this 16<sup>th</sup> day of Sept., 1996, personally appeared

✓ Mark H. Miller known to me to be the person whose name is subscribed to the foregoing Ass and acknowledged that he/she executed the same as his/her free act and deed for the purpos therein contained.

Patti A. Campo  
Notary Public

My Commission Expires: 6/20/97

✓ [Notary's Seal Here]

✓ IN WITNESS WHEREOF, I hereto set my hand and seal at Jamestown

this 16<sup>th</sup> day of Sept., 1996

✓ Bruce E. Wigton

✓ STATE OF Rhode Island:

✓ COUNTY OF Newport : ss.

Before me this 16<sup>th</sup> day of Sept., 1996, personally appeared

Bruce E. Wigton known to me to be the person whose name is subscribed to the foregoing Assignment, and acknowledged that he/she executed the same as his/her free act and deed for purposes therein contained.

✓ Peter A. Campo  
Notary Public

✓ My Commission Expires: 6/20/97

[Notary's Seal Here]

✓ IN WITNESS WHEREOF, I hereto set my hand and seal at Jamestown

this 16<sup>th</sup> day of Sept., 1996

✓ Kenneth Lonngren  
Kenneth Lonngren

STATE OF Rhode Island

COUNTY OF Newport : ss.

Before me this 16<sup>th</sup> day of Sept., 1996, personally appeared

Kenneth Lonngren known to me to be the person whose name is subscribed to the foregoing Assignment, and acknowledged that he/she executed the same as his/her free act and deed for purposes therein contained.

✓ Peter A. Campo  
Notary Public

✓ 6/20/97

PATENT  
ATTORNEY DOCKET NO. 07950/002001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark H. Miller et al.  
Serial No.: 08/718,643  
Filed : September 17, 1996  
Title : COUNTERFLOW INSECT TRAP

Art Unit: 3643  
Examiner: K. Rowan

Assistant Commissioner for Patents  
Washington, DC 20231

Attention: Group Director, Group 3643

REQUEST FOR PERMISSION TO WITHDRAW AS ATTORNEY OF RECORD

The undersigned attorney, on behalf of himself and the other attorneys of record, who are members or associates in the firm of Fish & Richardson P.C., or who were so listed at the time of their appointment, and on behalf of any associate attorneys appointed by any of the attorneys on whose behalf this petition is filed, including the following: Jonathan J. Wainer, Reg. No. 36,712; William E. Booth, Reg. No. 28,933; Barry E. Bretschneider, Reg. No. 28,055; John W. Freeman, Reg. No. 29,066; Timothy A. French, Reg. No. 30,175; Alan H. Gordon, Reg. No. 26,168, John F. Land, Reg. No. 29,554; John B. Pegram, Reg. No. 25,198; Richard M. Sharkansky, Reg. No. 25,800; Rene D. Tegtmeyer, Reg. No. 33,567; Hans R. Troesch, Reg. No. 36,950; Dorothy P. Whelan, Reg. No. 33,814; Charles C. Winchester, Reg. No. 21,040, requests the approval of the Commissioner to withdraw as attorneys of record.

Date of Deposit

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Dennis M. Brown

The present mailing address of the attorneys of record is:

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

The present mailing address of the assignee of the application is:

American Biophysics Corp.  
2240 South County Trail  
E. Greenwich, RI 02818

The reasons for which the permission of the Commissioner is sought for withdrawal of the attorneys of record is:

The assignee has requested that prosecution of the application be transferred to the law firm of Russell & Russell of Austin, Texas. Please send all further correspondence to Gail Taylor-Russell at Russell & Russell, 8810 Business Park Place, Suite 100, Austin, Texas 78759.

Notice of the attorney's request to withdraw is being sent simultaneously to the assignee and the relevant papers and files will immediately be sent to the client upon approval of the request by the Commissioner.

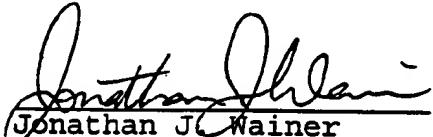
At least thirty days remain for the applicant to take any action due in this case or an appropriate request for extension of time accompanies this request seeking additional time. The attorneys on whose behalf this petition is filed will ensure that the applicant has sufficient time after approval of this request to reply or employ another to reply to any outstanding requirement of the Patent and Trademark Office.

Two copies of this request are filed herewith.

The Commissioner is authorized to charge any fee required to  
Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 22, 1998

  
Jonathan J. Wainer  
Reg. No. 36,712

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

Telephone: 617/542-5070  
Facsimile: 617/542-8906  
329788.B11

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Miller et al.  
Serial Number : 08/718,643  
Filing Date : 09/17/96  
For : Counterflow Insect Trap  
Group Art Unit : 3643  
Examiner : Kurt Rowan  
Docket : 800353

Assistant Commissioner for Patents  
Washington, DC 20231

**Request to Add Attorney of Record**

Dear Sir:

Please add the following as an attorney of record for the above referenced patent application:

Douglas D. Russell  
Registration No. 40,152  
Taylor Russell & Russell P.C.  
4807 Spicewood Springs Road  
Building One, Suite 1200  
Austin, TX 78759  
512-338-4601 phone  
512-338-4651 fax

Sincerely,



Gail M. Taylor Russell  
Registration No. 36,290  
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